

June 1, 2004

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Communication from David & Lisa Sanders, III
C.I. File No. 04-L-42

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimants, David & Lisa Sanders, III, 1435 North 18th Street, Milwaukee, WI 53205 allege that on March 10, 2004 they sustained damage to their vehicle and suffered minor injuries when their vehicle collided with a traffic island. They claim damages in the amount of \$8,205.25.

Our investigation reveals that traffic dispatcher's log at Infrastructure Services Division's Traffic Signal Shop does not indicate there were any calls regarding the downed "Hazard Marker" and "Keep Right" signs on the traffic island at 1656 North 12th Street. After becoming aware of the hazard, the division replaced the downed sign on March 11, 2004. When the division is notified of a hazard in the roadway a crew is sent to investigate and/or correct the hazard.

David & Lisa Sanders, III
June 1, 2004
Page 2

Prior to the claimants' loss the City had no notice of this defect, and because of this lack of notice, it cannot accept liability. Accordingly, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure
1029-2004-1194:81455